PROVO COURT

Mulberry Pleads Guilty to the Charge of Murder.

THE EVIDENCE IN THE CASE

The Noted Case Against Benjamin Bennett and the Conflicting Stories Told-General News of the Garden City.

The First district court opened proceed ings in Provo at 10 o'clock yesterday. SENT UP FOR SIX MONTHS

The first name called was that of William Cummings, who was arraigned on the charge of assault with a deadly weapon, He pleaded guilty and was sent up for six

DEFERRED HIS PLEA. Samuel Carson was arrainged on a charge

of unlawful consbitation and took until 3 o'clock p.m. to plead.

NEVER THOUGHT OF SUCH A THING John Steel pleaded not guilty to a charge

of fornication

Samuel A. Wilcox pleaded guilty to a charge of unlawful cohabitation. He was seventy-two years of age, he said, and on nising to obey the law, he was fined \$100 and costs.

NOT GUILTY. Orlando F. Herron entered a plea of not guilty to a charge of adultery. Joseph Bartholomew pleaded not guilty to the charge of unlawful cohabitation.

THE USUAL CHARGE. Neils H. Jenson pleaded guilty to the charge of unlawful cohabitation. He promised to obey the law, and was fined

Levi P. Dunham came before the court on a charge of resisting an officer and pleaded not guilty. Mr. Dadley was appointed to defend him.

Samuel Carson withdrew his plea of not guilty to the charge of unlawful cohabitation and entered a plea of guilty as charged. He promised to obey the law in the future, and was sentenced to pay \$100 and costs.

DENIED CITIZENSHIP. Christian Hansen did not feel like assisting in enforcing the laws against polygamy and was denied citizenship.

ADMITTED. Rasmus Rasmusen and Francis C. Nellsen were admitted to citizenship.

GUILTY OF BATTERY. one Anderson pleaded guilty to a charge of battery and was ready for sentence.
The officer who arrested him stated that
the defendant struck him with a rock at the
time of his arrest. He was sentenced to
one month's imprisonment and to pay a fine

PLEADED GUILTY TO MURDER. Samuel Mulberry withdrew his plea of not guilty to the crime of murder and en-terod a plea of guilty of murder in the sec-

The judge asked him if he fully realized what he was doing, and the murderer auswered that he did. It was then decided

was doing, and the murderer auswered that he did. It was then decided to examine the witnesses.

Frank Jones, a witness to the murder, was questioned by the United States district attorney, Varian, as to what he saw of the murder. He said he was present at the affray. It was 6 or 7 o'clock. He was shooting at a mark near the depot. Saw Mulberry shooting premiscuously down the street. My little boy was in danger, and I tried to get the gun away. He refused it, and I told him to cease shooting. He said: "I won't hurt anypody." He said: "I'll take the breech of the gun to you if you interfere here." I said I didn't care for the breech. He then said: "I'll turn the muzzle down into you." The defendant then used threatening language toward Mr. Fulmer, who told him (Mulberry) togo into the country and shoot. Fulmer started homeward Mulberry and shoot. country and shoot. Fulmer started home-ward. Mulberry said: "Now Pm in the country and I'll shoot," and then fired. Fulmer dropped, when defendant said: "Get away, G-d—you, and let me put another builtet in him. I want some more of you s—of b—s."

Cross-examined by Sutherland-Mulberry was sober when I saw him in the morning. He was not so very drunk, and still he seemed to have been drinking considerable. He had no malice against me. Don't know whether he had toward kulmer or not.

Dan'd Simmons testified to the provide the control of the cont morning. He was not so very drunk, and still he seemed to have been drinking con-siderable. He had no malice against me.

David Simmons testified to the promiscuous firing of a gun by the murderer, and to the shooting of Fulmer. The family of to the shooting of Fulmer. The family of the murdered man came up and Mulberry said: "Stand aside, or Pil shoot some of you, I want to put another builet into the s—of a b—," and someone remarked "You have already killed him."

Cross-examined—Saw him drinking at the bar. I saw him take about half a dozen drinks. He was what I call under the influence of liquor, but he, no doubt, knew what he was doing.

THE BENNETT CASE.

The case of the United States vs. Benjamin Bennett, indicated for the crime of fornication, was taken up for trial.

Maggie Peterson Williams testified—Between July and December, 1889, I was living at Schofield. I became acquainted with Bennett at a dance there. I have since married Thomas Williams. The father of the child in my arms is the minimum Bennett. I kept company with him from July 15 to December, 1889.

Cross examined by King—Am twenty.

Cross examined by King—Am twenty-four years old. I denied that Tom Williams was the father of the child, as had been

was the father of the child, as had been accused. Was out protty often with Bonjamin Bennett, who lived at Winter Quarters. This child was born October 1, 1889. I was intimate with Bennett about the third time I was out with him, after a ball at Scofield some time in July.

Margret Snowden—Know Mrs. Williams, met her in Scotland. Know Bennett by sight. Saw them together last year at a time when she was sick. Saw them together last May. It was about 13 o'clock at night at my mother's house. They talked at the gate a long time before coming in.

ing in.

To. King—I saw Mrs. Patterson and Bennett through the window at the time they were at the gate. Could distinguish him

To Varian—I heard Mrs. Patterson ask shrugging your shoulders at the dinner table when I told them that that mot I

him why he say not come down in April to make things right.

Mrs. Williams, recalled—Remember the night spoken of by Mrs. Snowden. I asked Bennett why he didn't come down and make things right—speaking of my condition. He had promised to come down in April

ar. de L'ic—An, mademoiselle did not see. Zat was ze great compliment, ma-demoiselle. Zat was to say, mademoiselle do not look as ze centenarian.—Harper's Bazar. April.

N. L. McLanc said he knew the parties to the case, and had seen them walking out on various occasions. Bennett had told him after the arrest that he would marry the girl, but would not live with her. The witness was the officer who made the ar-They had just raised a flag over the school house, and the teacher said:

"The flag represents your country, children, and all that is best in it. Why, then, do they put it on school houses!"
"Please, ma'am," answered the head Mr. McLane took the stand, and testified

Mr. McLane took the stand, and testified that he had born a message from Mrs. Williams to Bennett, asking why he did not make matters right.

Mr. Williams stated that he married Maggie Patterson on January 20, 1891.

The prosecution rested.

Benjamin Bennett, the defendant, was called and testified—Lived in Scofield over two years. Am now living in Ogden. Came from England. Was never charged with crime before this one. Became acquainted with Maggie Patterson at a ball two years ago. Have been out in company with her. Walked out with her in July and in August. 1889. I also escorted other young ladies. Was only on friendly terms with Maggie Am not the father of the child testified about. Have never contributed to Maggie's support, or made any promises to her. She at one time told me I would have to marry her, as I was the father of the rhild. She also wrote me a letter threatening me If I did not acknowledge the child. Maggie kept company with Dave Patten and went out with a Mr. Brown.

Mr. Green testified to having seen two young ladies in company with Maggie coming from a teacher's investigation of Mag-

gie's case. Heard one of the ladies remark that if they didn't make this case stick on Ben Bennett they would on someone else. Cross-examination—Have been ac-quainted with Bennett two years. Worked in the same mine with him at Scofield. Arguments being made when the mail

GENERAL NEWS NOTES.

he refused to rise

the sidewalk.

No result.

seemed rather to like it.

when a genius yelled:

"Indeed?"

The bridle was "vanked," but the horse

still lay there.
"Twitch his tail!" screamed a man on

The tail was twitched, and the horse

The prodding was promptly performed.

"Stick pins in his ear!" remarked a man,

evidently an active member of the Society for the Prevention of Cruelty to Animals.

Twas done, but the horse only moved

his head from side to side.
"Three or four fellows get astride him

and he'll get up," was the next suggestion. The crowd was ready to try anything,

But the animal never budged.

Shunning Notoriety.

"Glad to meet you, Mr. Simpkins, I'm

say good day."-Phœnixville (Pa.) Messen-

A Slight Mistake.

story:
One afternoon, business being very dull,

"Why, wifey," said he, "I am putting the children to bed and hearing them say their little prayers."

"Yes," said wifey, "but this is one of our

And he had to re-dress it and send it

Jay Gould's Original Conundrum

"Well, you give it up pretty quick," he said. "It's simply because there are more

black ones than white ones."—Atlanta

The Telltale Chestnut. Miss Haughton-Monsieur de Luc, pray explain yourself. What did you mean by

Mr. de Luc-Ah, mademoiselle did not

The Flag and the School.

neighbor's children, all undressed.

"Give it up," I said.

made was original with me!

"Now, don't go to puttin' anything into

Are you the editor of the paper?" What can I do for you?"

ke him in the ribs!" said a third sug-

RAYMOND ARRAIGNED

He Pleads Not Guilty to the Charge of Murder.

The court room was filled to its utmost capacity yesterday morning by spectators who were interested in hearing the Mulberry murder case. The plea of murder in the second degree was somewhat of a surprise, as it was anticipated by many that the case would be contested. NINETEEN INDICTMENTS FOUND

he second degree was somewhat of a surprise, as it was anticipated by many that the case would be contested.

At the rehearsal of the Karalfy company Monday afternoon, there was a scrap between a bailet girl and the dancing teacher in which the terpsichorean received some vigorous blows.

At about 7 o'clock Monday night the streets were enlivened by the strains of music from the new Enterprise band, who were engaged to boom the Democratic meeting in the court nouse. The meeting was called to order by M. H. Kellogg, the temporary chairman, who stated the object of the meeting and spoke at length on the great necessity of effecting an organization, after which he introduced the oracity tincturing his remarks with brevity and wit, reciting several humorous stories, which were admirably adapted to the g. o. p. W. N. Dusenberry then gave one of his characteristic speeches, speaking with wit and good sense, well defining his position in local politics. Mr. Conkin and William Probort also gave good reasons for the organization of a party on strict national lines. A recess of ten minutes was the probability of the probort also gave good reasons for the organization of a party on strict national lines. A recess of ten minutes was a scrap between a scr the organization of a party on strict national lines. A recess of ten minutes was taken for receiving names to proceed to organize. After a carvast twas found that if the penitentiary. That term even with the following organization was effected: A. D. Gash, president; W. N. Dusenberry, second vice-president; W. N. Dusenberry, second vice-president; Dr. John Hannburg, third vice-president; J. H. Wallis, secretary; D. P. Felt, treasurer. The executive board is the officers elected and E. Lund, O. B. Young and Mr. Carfman.

O. charging him with house breaking, and on September 26, 1889, he pleaded guilty and was sentenced to two years' imprisonment in the penitentiary. That term even with the deduction for good behavior, had not yet expired. This being true, the marging him with house breaking, and on September 26, 1889, he pleaded guilty and the term even with the deduction for good behavior, had not yet expired. This being true, the marging him with house breaking, and on September 26, 1889, he pleaded guilty and was sentenced to two years' imprisonment to the deduction for good behavior, had not yet expired. This being true, the marging him with house breaking, and on September 26, 1889, he pleaded guilty and was sentenced to two years' imprisonment to the deduction for good behavior, had not yet expired. This being true, the marging him with house breaking, and on September 26, 1889, he pleaded guilty and was sentenced to two years' imprisonment to the deduction for good behavior, had not yet expired. This being true, the marging him with house breaking, and on September 26, 1889, he pleaded guilty and was sentenced to two years' imprisonment to the deduction for good behavior, had not yet expired. This being true, the marging him with house the sentenced to two years' imprisonment to the policy and the deduction for good behavior, had not the deduc

O.

Useful Annie Rooney.

A horse which had been pulling a heavily

loaded wagon suddenly took it into his head to lie down on State street, and then RAYMOND PLEADS NOT GUILTY. Frank F. Raymond, indicted for murder he refused to rise.

A large number of mengathered around, and of course every man had a suggestion to offer.

"Yank the bridle!" yelled a man in a buggy.

The indictment charged the defendant with killing Richard O'Brien at Park City on December 19 last, and was found on February 18. Raymond entered a plea of not guilty and retired.

DUGGINS DENIES IT.

Sim Duggins, the Provo saloon keeper, was arraigned on an indletment charging him with adultery, alleged to have been committed with Miss Louise Oldfield at the White house in this city some months ago. He entered a plea of not guilty.

GOT AWAY WITH A BARREL D. C. Johnson, Stephen Daniels, Ed Patke and Thomas Daniels, charged with stealing a barrel of alcohol from a box car at Park City some time ago, were arraigned and pleaded not guilty.

In Judge Anderson's Court-In the case of M. J. Forhan vs. C. S. Varian et al.; Judge Anderson yesterday allowed a motion to file a supplementary

and it detailed four venturesome men, who climbed on the horse and kicked simul-taneously with their double quartet of In the case of John Beck vs. John T. Lynch et al.: the demurrer was withdrawn. In the case of H. B. Claffin & Co. vs. The situation was getting serious, for the Simon Keilner; the hearing on the motion to rescind the order appointing a receiver was set for March 2.

In the case of Elizabeth Davis vs. Hyrum Blondquist et al.; the demurrer was crowd was blocking the thoroughfare,

"Sing 'Little Annie Rooney' to him!"
That was enough. With a snort of rage the horse raised himself to his fore feet, then to his hind ones, and started off so withdrawn. rapidly that many of the spectators had hairbreadth escapes.—Chicago Inter-Ocean.

withdrawn.
The case of H. E. C. Peterson vs. T. A. Davis was continued for the term.
Peter Anderson vs. Matt Connelly et al.; demurrer withdrawn.
J. W. Goldthwait vs. J. T. Lynch; demurrer submitted.
H. L. Williams et al. vs. Jesse Bell; demurrer overruled.
T. R. Jones vs. W. G. Galligher; hearing on motion for a new trial set for February 28. "Well, I thought I'd step up and see how you are. My wife and I are going to Cape May to-morrow."

E. E. Oslund vs. Thomas Goff et al.; de-"Yes; but I wouldn't have anything said murrer overruled.

J. W. Farrell vs. Earl Gray; demurrer about it in print, of course. My name is Simpkins—Azariah Simpkins."

overruled.
V. H. Miller vs. — Dwyer; hearing on demurrer set for February 27.
F. B. Smith vs. W. M. Hand; demurrer submitted.

the paper about our going away. We start at 4 o'clock, and I reckon we'll be gone pretty near a month. I need the rest, and Mrs. Simpkins was getting run down. Of S. R. Marks vs. Margaret J. Tucket at course I know how anxious you newspaper al.; demurrer submittee.;
The divorce case of John R. Hamilton vs.

The grand jury yesterday reported seventeen indictments under the laws of the territory and two under United States laws. A fond father, blessed with eleven children, and a very domestic man, tells this ignored: Also that the following cases had been

The People vs. Harvey Kessell, murder. The People vs. Henry Washer and James Ricer, attempt at burglary. The People vs. Lee Heog, assault with a One afternoon, ousiness being very duil, he took the early train back to his happy home, and after a time slipped upstairs to help to put the children to bed. Being missed soon, his wife went to see what was deadly weapon. United States vs. John Lambert, unlaw-

going on. Upon opening the nursery door she exclaimed:

"Why, dear, what in the world are you etc., and asked permission to adjourn for

two weeks. The request was granted

In the Probate Court.

1,000 pairs of Curtains and Portieries, slightly soiled in handling, will be offered for one week at from 75c. to \$18.50 a pair; worth 60 per cent. more than they are now selling for. Estate of William Howard; order of publication of notice to credi tors. Estate of Lars M. Johnson; order appointing Oscar Youngberg administrator upon filing a bond in the sum of \$1,100 and taking the oath prescribed by law. Estate of Elizabeth Brunker; Henry

Mr. Gould was in a most jocular mood, and pointing to a group of black pigs said, "Look at the pigs," and turning to me laughingly said, "I've got a conundrum to cath prescribed by law.

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Estate of Elizabeth Brunker; Henry Brunker appointed administrator on filing a bond in the sum of \$300 and taking the oath prescribed by law.

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"Why do black pigs eat more than white

a cond in the sum of \$300 and taking the laughingly said, "I've got a conundrum to ask you."

"What is it?" I asked.

"Why do black pigs eat more than white of 1801, to hear petition for letters of advances."

ministration.

Estate and guardianship of J. Milton
Allen, a minor; continued to February 28, The following cases were continued to February 27: Estates of John Helm, Julia C. Raleigh and Charlotte Curtis.

CAUSE OF RHEUMATISM CAUSE OF RHEUMATISM.

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You have heard your friend and neigh bors talking about it. You may yourselt so one of the many who know from per sonal experience just how good a thing it is if you have ever tried it, you are one of its staunch friends, because the wonderful thing about it is, that when once given a trial, Dr. King's New Discovery ever after holds a place in the house. If you have never used it and should be afflicted with a cough, cold or any throat, lung or obest trouble, secure a bottle at once and give it a fair trial. It is guaranted every time, or money refunded. Trial bottles free at A. C. Smith & Co.'s drug store. -6.

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It is not generally known that pneumonis and bronchitis carry off one-third of the human race, but such are the facts, and what is more surprising, both of the above diseases result from neglecting a common ordinary cold. A cough should never be neglected. If it is, every time you catch cold you cough harder, and it sticks by you longer. Ballard's horehound syrup is the best remedy in the world for pneumonia, bronchitis and all throat and ling troubles. If you have any throat trouble, call for Ballard's horehound syrup

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"35c., "40c.

"65c., "50c.

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